

CHAPTER 3.5

Cultural Resources

This Chapter discusses the existing cultural resources in the Program Area, including historical resources, archeological resources, paleontological resources, and human remains; identifies potential impacts the Shasta River Watershed-wide Permitting Program (Program) could have on those resources; and identifies mitigation measures for those impacts determined to be potentially significant.

3.5.1 Setting

Ethnography

Shasta Valley and the Shasta River watershed are within the ethnographic territory of the Shasta Indians, who are one of four northern California Hokaan-speaking groups collectively termed Shastan peoples. Several references discuss the culture of these people (Dixon, 1907; Holt, 1946; Kroeber, 1925; Silver, 1978). The information below is derived from these sources unless otherwise cited. Historically, the Shasta occupied territories in present-day California and Oregon including almost all of Siskiyou County in California and Jackson and Klamath counties in Oregon. The four main divisions of the Shasta peoples roughly correspond to topographic features: Shasta Valley, Scott Valley, approximately 60 miles of the Klamath River Basin, and the Rogue River Valley.

Permanent winter villages were located along the major rivers and tributaries; and during the other seasons, the Shasta lived in temporary brush huts or bark houses, as they moved to various resource locations. The fundamental social unit of the Shasta was the family. Many villages were small, composed of only one extended family, and larger villages had a headman. Some ownership of land and resource exploitation areas was practiced with regard to village territories, hunting and fishing areas, tobacco plots, and oak trees. Three ethnographic villages are reported by Silver (1978:211) in the Shasta Valley: *kusta* was along Yreka Creek near Yreka; *cataywa* was on the Shasta River near Montague; and another un-named village was along the river near Big Springs.

The Shasta were hunters and gatherers who practiced an annual subsistence pattern based on a series of seasonal moves designed to ensure their arrival at specific areas during the peak period of productivity for certain resources. Their life-style centered on careful attention to the cycles of nature and the habits and needs of wildlife and plants. Strict laws, including hunting, fishing, and gathering, were observed to guard and manage the plants, wildlife, water, and other natural resources.

Salmon was historically one of the most abundant natural resources in the Shasta Valley and was central to the religion, diet, and way of life of the Shasta, who fished with hook and line, spear, and harpoon. Other foods were also plentiful, with major protein sources including deer, bear, small mammals, birds, other anadromous fish species, resident fish, turtles, and invertebrates such as mussels, grasshoppers, and crickets. Men hunted by tracking, driving, and smoking out. Women gathered seeds, bulbs, roots, insects, and grubs. They also trapped fish in baskets. Both men and women collected acorns and pine nuts. In addition, the Shasta practiced limited plant husbandry by burning areas to stimulate plant growth and encourage better seed harvests.

Shasta technology used a wide variety of materials including stone, bone, wood, shell, and plants obtained both locally and in trade with other groups. The Shasta relied heavily on obsidian for tools, but a variety of cherts and basalts were also used. The Shasta traded with their southern and western neighbors, the Wintu and the Hoopa; but trade with the Klamath and Modoc to the east was not common.

The Shasta had a rich culture of songs, artistic works, and ceremonies. Elaborate ceremonies were held at certain points in the natural calendars, and these ceremonies were the main social gatherings for various villages and tribes. These ceremonies are still practiced today by the Shasta.

With the influx of miners into Siskiyou County in the 1850s, the traditional Shasta way of life was completely disrupted. In 1851, a treaty made with the three California divisions of the Shasta provided for a reservation in Scott Valley, but it was never ratified (Heizer, 1972:97-99), and “most of the Indians were murdered in the fort at Fort Jones” (Scott Valley History, 2007). Survivors went to the aid of the Oregon Shasta in the Rogue River Wars of 1851-1856. Those survivors were then taken to reservations in Oregon.

Some families returned to the area, and in 1937 and 1939, the federal government bought land in Scott Valley under the Reorganization Act for native peoples, and the Quartz Valley Reservation was established. In 1960, however, this reservation was terminated, and, although the property was deeded to the Indians, most of the land was sold out of Indian ownership. In 1983, the termination was declared unlawful and the Reservation was legally reinstated. Today the Reservation is home to some 150 community members, and it provides services to the Indian people of both Scott Valley and Shasta Valley. The Reservation is a member of the Inter-Tribal Council of California.

As noted above, salmon was historically one of the most abundant natural resources in the Klamath River region. As described in some detail in Chapter 3.3, Biological Resources: Fisheries and Aquatic Habitat, historic and contemporary land use practices have caused a decline in salmonid stocks in the Shasta River and Scott River watersheds and throughout the Klamath River Basin. This has had and continues to have a profound effect on the subsistence economies of Native American people, including disruption of traditional fishing practices and related ceremonies (Harling, 2007).

As stated in his cover letters for the Quartz Valley Indian Reservation's comments on the Draft Action Plans for both the Scott and Shasta River Total Maximum Daily Loads, Tribal Vice Chairman Harold Bennett stated that the watersheds are in peril and need immediate attention and action. He noted, "To us, water is life... The health of the fishery in these two watersheds is critical to the health and survival of the way of life of our native people, within the Shasta and Scott and the entire lower Klamath basin."

Prehistory

The following summary of archaeological investigations in Shasta Valley is taken from Hamusek et al. (1997:22-24) and summarizes the work of Wallace and Taylor (1952), Clewett (1968), Ritter (1989), Nilsson (1985, 1987, 1988), Johnston and Nilsson (1983), and Nilsson et al. (1989).

The earliest systematic archaeological investigations performed within ethnographic Shasta territory were conducted in 1950 by Wallace and Taylor who excavated a small rockshelter along the eastern edge of the valley. Based on the presence of small triangular barbed projectile points, Wallace and Taylor suggest a period of occupation as late as A.D. 1700 to 1800. Obsidian was the dominant lithic material used for stone tool manufacturing at the site, although cryptocrystalline silicates (ccs) and basalt were also present. Site function was attributed to seasonal hunting by Achumawi, Modoc or eastern Shasta peoples (Wallace and Taylor, 1952:33).

Excavations at CA-SIS-327, the Chaney Site, were undertaken by S. E. Clewett and California State University, Chico in 1965. This site was a small pithouse village located in southern Shasta Valley along the banks of the Shasta River. The village's cultural assemblage included projectile points and groundstone implements indicative of a late prehistoric occupation (Clewett, 1968). Hamusek et al. (1997) looked at this artifact assemblage again, and they suggest that while projectile points typically assigned to the late prehistoric period dominate the assemblage, there are hints of earlier occupational sequences (e.g., Clikapudi Series projectile points) occurring at the site.

In 1984, excavations were conducted at CA-SIS-266, Sheep Rock Shelter (Ritter, 1989). Unlike the cultural deposit encountered by Wallace and Taylor at CA-SIS-13, Sheep Rock Shelter yielded few archaeological remains, despite the presence of a midden deposit. One corner-notched projectile point, two metate fragments, a mountain sheep bone awl and lithic debitage dominated by obsidian were recovered. Ritter's analysis of the cultural and ecofactual material suggests that the site was utilized as a lithic reduction workshop in which the maintenance and final shaping of tools was occurring along with local foraging for seeds and other plant foods and hunting. Radiocarbon dates and obsidian hydration rim readings obtained on cultural material indicate that the site was occupied between 600 B.C. to A.D. 700 (Ritter, 1989:42).

In the mid to late 1980s, eight prehistoric sites were excavated in the northern portion of Shasta Valley near Ager for the proposed realignment of the Montague-Ager Road (Johnston and Nilsson, 1983; Nilsson, 1985, 1987, 1988; and Nilsson et al., 1989). Nilsson (1991) states that four of these sites (three sparse surface lithic scatters and a housepit village) where minimal testing was conducted, yielded little in the way of archaeological data; but the archaeological

investigations conducted at the remaining sites (CA-SIS-154, CA-SIS-331, CA-SIS-332, CA-SIS-900) and a re-examination of the data from the previously excavated rockshelters (CA-SIS-13 and CA-SIS-266) provided a significant body of data that allowed Nilsson to develop the following provisional chronological sequence for Shasta Valley (Nilsson, 1991).

The earliest distinct cultural manifestations in Shasta Valley that can be solidly documented are defined by Nilsson (1991) as the Ager Phase which dates from 500 B.C. to A.D. 500. The artifact assemblage associated with this phase is characterized by Elko Corner-Notched, medium-sized side-notched and stemmed leaf-shaped projectile points manufactured nearly exclusively of Grasshopper Flat obsidians, as well as unifacial and bifacial manos, unifacial metates, end scrapers, and side-scrapers. Lithic technology during this period of time appears to focus on the reduction of imported, pre-formed obsidian bifaces; however, core reduction of local ccs and basalt materials was also commonly encountered. Faunal remains indicate that dietary patterns focused primarily on large and small terrestrial mammal species. Settlement pattern information appears to suggest that the river banks at the transition zone between the valley bottom and the upland region were occupied. The adjacent upland areas were utilized on a more sporadic basis.

The Meek Phase follows the Ager Phase, which Nilsson (1991) dates to the period from A.D. 500 to historic contact. Projectile point types in this phase are dominated by Gunther Barbed series specimens, as well as a limited number of Desert Side-Notched series and other small corner-notched specimens; and the groundstone assemblage is similar to that of the preceding complex, except for the appearance of flat-ended and cylindrical pestles and, more rarely, hopper mortars. Also commonly found in site assemblages from this period are various bone tools and ornaments, shell beads, twined basketry, ceramic figurines, and pottery fragments identified as Siskiyou Utility Ware.

Lithic technology patterns typical of Meek Phase assemblages include core, biface, and bipolar techniques revolving around a reduction strategy which was multi-faceted and material specific. Also of note is the apparent increase in the number of obsidian sources utilized during this phase. Whereas assemblages associated with the Ager Phase are dominated by a near exclusive use of obsidian from Grasshopper Flat, site assemblages associated with the Meek Phase reveal the presence of four additional Medicine Lake Highland glasses, as well as material from the Cougar Butte, Callahan, Glass Mountain, and Railroad Grade sources.

Subsistence data from Meek Phase site assemblages suggest a continued focus on terrestrial mammal species, but evidence for the exploitation of riverine resources begins to appear during this time period. Based on these data, coupled with the lack of fish bone and freshwater mollusk from Ager Phase site assemblages, Nilsson (1991) hypothesizes that shifts in subsistence patterns may have occurred during the Meek Phase as riverine resources began to be exploited and the reliance on land animals was lessened in favor of a broader-based economy.

Regional History

Siskiyou County was created in 1852 from the northern part of Shasta County and a part of what was formerly Klamath County. “Siskiyou is an Indian name of undetermined origin,” according to Rensch et al. (1933:405), but Luecke (1982:75) provides two derivations. The French trappers called it *Six Cailloux* for the six stones or boulders in the Klamath River over which Hudson’s Bay Company trappers crossed, and the Indian council grounds on the north side of the Siskiyou Mountains was pronounced “Seeskalyou.”

The following discussion of the earliest travel and settlement in the area is excerpted from Hamusek et al. (1997) and Silva and Arnold (1999). Richard Silva and Keith Arnold are both Yreka residents and members of the California-Oregon Trails Association. They have conducted both extensive archival research and field verification of the early trails and roads through Siskiyou County.

The first Euroamericans to enter the area that became Siskiyou County appear to have been a company of Hudson’s Bay trappers and traders led by Peter Skene Ogden during the winter of 1826-1827. Over the next 20 years, trappers associated with the Hudson’s Bay Company were active in the area. Alexander McLeod and his party of trappers are reported to have traveled through Shasta Valley in 1828-1830 where they established camps on the McCloud and Klamath rivers. Later, another group of trappers under John Work used the same route and camps to stage expeditions in Shasta, Scott, and Butte Valleys.

The California-Oregon Trail was first traveled by a settler headed for Oregon in 1834. This trail skirted the western base of Mt. Shasta. In 1849, a party of wagons heading south from Oregon came over the Siskiyou Mountains to Shasta Valley, but “fearing the Native Americans and being concerned about the remoteness of the area,” the party returned to Oregon (Marschner, 2001:201). By the 1850s, the California-Oregon Trail had become a well-established wagon road. The first wagon team to reach Siskiyou County from the Sacramento Valley came in 1854. Traveling from Red Bluff, the route headed north to Old Shasta, up over Scott Mountain, then through Scott Valley to Yreka.

In 1846, the Applegate Trail provided the first regular crossing of the Klamath River near the mouth of Spencer Creek (outside the Program Area). The Yreka Trail was established in 1851 from a branch of the Applegate Trail, and it continued south to Grass Lake and Sheep Rock before heading west to Yreka. Near Sheep Rock, the Yreka Trail intersected with the Military Pass Road. The latter road began as an Indian trail and was used by Hudson’s Bay Company trappers. Later, emigrants using this route constructed the wagon road in 1856; and by 1857, the military began accompanying wagon trains in order to protect them from the Modocs; hence the name Military Pass Road (Luecke, 1982). The Yreka Trail measured approximately 73 miles in length, but was in use for no more than 10 or 12 years. By the 1860s, new, shorter routes were being developed to Yreka, ones that bypassed the dangers of Modoc raiding parties around Tule Lake which had plagued the trail since its inception.

In the spring of 1851, gold was discovered at Yreka Flat, in the extreme northwest corner of the valley. Immediately, there was a rush to the new diggings, and a considerable town sprang up

around the find. Mining activities were generally confined to the northwestern portion of the Shasta Valley watershed, however, and were not nearly as extensive as in the Scott Valley watershed to the east. In Shasta Valley, a number of these early settlers took up their claims in Shasta and Little Shasta valleys in order to work as farmers and ranchers so that they could provide food and other supplies to the miners (Wells, 1881:192).

In 1854, the Yreka Ditch Company was founded, and construction of the Yreka Ditch began to supply water from the Shasta River and Parks Creek to the Yreka area for the miners. As reported by Foulke et al. (1960), the diversion point from the Shasta River was only some 30 air miles southeast of Yreka, but the ditch was 95 miles long winding in and out of the various canyons and gulches enroute to maintain a consistent grade. Water was turned into the ditch on March 1, 1856, and originally there were some 5,000 feet of wooden flumes. Over the years, these have all been replaced by cuts. Circa 1880, the ditch began to be used by ranchers and farmers as well, with various turnouts. Numerous water disputes have occurred, there have been many changes in ownership and operation of the ditch, and the ditch has been repaired and widened in places, but in 1960, Foulke et al. (1960:5), stated, “the ditch is in its 104th year of continuous usage and continues to contribute its share to the prosperity of Siskiyou County.”

Although the majority of land situated within the valley bottom was used for agricultural purposes, along the foothills and crossing over the mountains to the east there were several historic trails used to lead cattle and sheep to their summer range. Raising sheep was the major activity in the valley during the early 1900s. The summer range of the sheep was the summit of the Cascade Mountains from Mount Shasta to the Klamath River in the vicinity of the Klamath Hot Springs, while the winter range was in Shasta Valley. It was perhaps as a direct result of these early livestock herding activities that many of the stone fences found throughout the foothills overlooking Shasta Valley were originally constructed.

When the Southern Pacific Railroad was constructed from Redding into Oregon in 1886 to 1887, its route was nearly identical with that of the earlier California-Oregon Trail and portions of the stage road. Many of the railroad stations were built either on the exact line of the original trail or very close to it. The railroad followed the western edge of the valley past the town of Edgewood to Gazelle, then went north across Shasta Valley, fording the Shasta River near the site of Montague before proceeding north to Willow Creek.

Additional history of Euroamerican settlement in Shasta Valley is provided below in a brief history of the towns and other locations in the area. These are listed in alphabetical order. Most of the information is from Luecke (1982), much of which she obtained from Wells (1881).

Ager

Started as a stage stop in 1876 built by J. B. Ager, Ager became a thriving town on the railroad from 1887 to 1903. Supplies, passengers, and mail were sent from here to eastern Oregon, Klamath Basin, and the Klamath River. The post office was moved from Willow Creek to Ager in 1888, then from Ager to Beswick in 1940 (Luecke, 1982:2).

Edgewood

This town began as a store in 1856 and became a major stage stop called Butteville in 1857. It became known as Cavanaugh's in 1860 when the property and store were purchased by Joseph Cavanaugh. The post office was established in 1870 with the name Edgewood, because it was on the edge of the forest. The spelling was then changed to Edgewood in 1902. In 1880, the population of the town was 50 (Luecke, 1982:25).

Dwinnell Dam/Lake Shastina

The following history of the development of Dwinnell Reservoir, now known as Lake Shastina, is provided by the Lake Shastina Community Services District (2003). Dr. Dwinnell arrived in Shasta Valley in 1891 from Chicago, and by the early 1900s he was working to improve access to water for the valley's farmers. Between 1913 and 1915, he helped establish the Shasta River Water District, Big Springs Water District, and Mt. Shasta Land Company Water District. Farmers had been investigating diverting the Klamath River to non-irrigated areas of the Shasta Valley, when interest turned to a natural reservoir site about 15 miles southeast of Montague. Dr. Dwinnell envisioned turning this reservoir into a large lake which would then gravity-feed water through a long canal with lateral ditches to a large portion of the Shasta Valley; and, with the cooperation of local farmers and entrepreneurs, he established the Montague Irrigation District, now known as the Montague Water Conservation District, in 1925.

The project was designed by Civil Engineer John A. Beemer, and bonds were issued to pay for construction which began in 1926. The Nevada Contracting Company constructed the dam, the 1,800-foot flume, trestles, the 21-mile long canal and the 55 miles of laterals. Problems were encountered upon completion, not with the structural integrity of the project, but the filling of the reservoir. Geological faults and crevices prevented the water from filling the newly constructed ditch system. The farmers' greatest fear became a reality when their fields were either flooded or completely devoid of water, and to make matters even worse, the next three years were the driest on record for Siskiyou County.

Many methods were tried to stop the leaks, with negative results; but finally, "as if by divine intervention, the lake began to seal itself with silt and small debris that had worked its way into the cracks and crevices." By 1947, the reservoir was 50 percent efficient; and as improvements continued, the district increased the allowance from 35,000 to 50,000 acre feet by 1955.

Gazelle

The town began as a stage station named Edson's sometime prior to 1853, and it was operated by E. B. and J. R. Edson. The post office was established as Gazelle in 1870 by E. B. Edson (Luecke, 1982:34). The first school in Gazelle, called the Shasta Valley School, was established in 1865 and located at the junction of Callahan Road and the California-Oregon Stage Road. In 1891, the Shasta Valley School changed its name to Gazelle Union School District, and another school was established four miles north of town.

Grenada

The stage station at this location in 1860 is listed as Starveout, due to the lack of water; but when the railroad came through in 1887, it was named Juliens. Initially, it was a flag stop, but by 1917 when the post office was established and named Grenada, it became a regular train stop (Luecke, 1982:38).

Hawkinsville

Hawkinsville was originally named Frogtown or Lower Town when it was first established on Yreka Creek. When it was moved to higher ground, it was renamed Hawkinsville for Jacob Hawkins. In 1858, there was a shoe store, butcher shop, blacksmith shop, dry goods store, and “a Chinese store” and by 1881, there was a general store, saloons, and the Yreka Creek Mining Company boarding house. The post office was established in 1880, closed in 1890, started again in 1895, then finally moved to Yreka in 1913 (Luecke, 1982:40).

Little Shasta

John Rohrer was the first settler here in 1853, and, shortly thereafter, R. Breed and his partner built the first sawmill in the area near Table Rock, and Schlicht and Smith built the first flour mill on the Shasta River. In 1880, the population was 175, and the post office was originally called Mount Shasta. The name was changed to Little Shasta in March 1888, and in September 1920, the post office moved to Montague (Luecke, 1982:56).

Montague

The town of Montague was established in 1887 as a stop on the Central Pacific Railroad line after surveyors decided to find a cheaper route through Shasta Valley than their original plan to pass through the city of Yreka. The town was named for Samuel S. Montague, chief engineer of the Central Pacific Railroad, who engineered the transcontinental railroad from Sacramento to Promontory, Utah. The Montague Post Office was established in 1887 (Luecke, 1982:61).

Weed

The history of Weed is closely tied to the development of the logging industry in the region and its founder Abner Weed. The following is excerpted from Linville (2000:1-2).

The town inherited its unusual name from its founder, Abner Weed, who saw a vast potential for the area’s lush timber and abundant water supplies. Because of its unique location at the base of Mt. Shasta, Weed experiences almost a constant breeze that ascends over Black Butte summit in a northward thrust. As they descend, the air currents swirl around the hills with a tremendous force, often causing a swirling patch of clouds to appear over the peak of Mt. Shasta. Weed noticed this and saw that he could harness the wind to his lumber operation to help in the drying of the green lumber. He purchased a 280-acre site in the path of the wind from the Siskiyou Lumber and Mercantile in 1897 and thus came the birth of the town.

Mr. Weed developed an extensive railroad logging operation, and the California & Oregon Railroad was extended into the area to accommodate the factory business. Weed Lumber

Company furnished employment and housing and provided mercantile goods and social services to its workers. In 1902, this “company town” included the cookhouse and bunkhouse, a post office, two mills, a box factory and boarding house, a store, and several homes. The company was taken over by Long Bell Lumber Company circa 1906, which operated the mill until 1956 when it was purchased by International Paper Company. The town of Weed was incorporated in 1959.

Yreka

Yreka was originally named Thompson’s Dry Diggings in 1851 after Abraham Thompson, who discovered gold there, and “two thousand miners arrived when the news got out.” Within a year’s time, the town’s name changed five times from Thompson’s Dry Diggings to Shasta Butte City to Shasta Plains to Ieka to Wyreka, and finally Yreka in 1852 (Luecke, 1982:85). The latter name for the town is from a bastardization of the Shasta Indian word for Mount Shasta which was *Wy-e-kah* (Silva and Arnold, 1999:19).

Joaquin Miller described Yreka during 1853-1854 as a bustling place with “. . . a tide of people up and down and across other streets, as strong as if in New York” (MSRTC, 2006). Yreka was incorporated in 1854. The first newspaper, the *Mountain Herald*, was printed in June 1853, and the post office was established in August of the same year.

By 1885, the mining boom was nearly over, but the town had a population of 1,400 and boasted a court house, churches, hotels, a school, an express and telegraph office, and numerous other businesses (Luecke, 1982:85), and settlers were well established in Shasta Valley, primarily as ranchers and farmers. The growth of Yreka and the surrounding area prompted the construction in 1889 of a shortline railroad to connect Yreka with the Southern Pacific’s west coast line. Hundreds to thousands of Chinese laborers were used to construct the shortline, and they established two large commercial, cultural, and social centers, known as Chinatowns, in Yreka (MSRTC, 2006).

During the first quarter of the twentieth century, logging grew as the economic mainstay of Siskiyou County, along with ranching and agriculture. Sufficient roads and bridges into the County were vital to the growth of the local economy, yet pleas for funding were ignored by California state government. Because of their discontent, various attempts were made beginning in 1852 by several northern California and southern Oregon counties who were trying to secede from their respective states to form a new state called Jefferson. The most recent attempt was in 1941, but the outbreak of World War II interrupted their efforts (Rock, 1985).

In the mid-1940s, Highway 97, better known as the Al-Can Highway, which runs from Weed, California to Alaska, was completed. In the following decades, Siskiyou County has remained a quiet, sparsely populated area. Changing government regulations have led to the decline of logging in the area, which has been replaced in part by tourism and outdoor recreation. The alignment of Interstate-5 through Weed and Yreka was finalized in the mid-1960s by the State of California.

3.5.2 Literature and Record Search Results

An in-depth review of archaeological records which would have produced a bibliography and maps for all previously-conducted archaeological surveys and previously-recorded archaeological sites within the watershed was not completed for this Draft Environmental Impact Report (EIR). Instead, Trudy Vaughan, Coyote & Fox Enterprises,¹ at the Northeast Center of the California Historical Resources Information System, California State University, Chico (NE/CHRIS), conducted cursory review of maps and records in March 2007, with an update in September 2008, to provide general information on the extent of archaeological surveys within the watershed and the number and types of prehistoric and historic sites recorded.

Cultural resources include prehistoric and historic archaeological sites, districts, and objects, standing historic structures, locations of important historic events, and sites of traditional cultural properties. Prehistoric resources include sites, features, and artifacts associated with indigenous Californians, generally prior to contact with people of European descent. Historic resources include structures, features, artifacts, and sites that date from Euroamerican settlement of the region; and to be an “historic” resource, it must be more than 50 years old.

The review of records at NE/CHRIS consisted of a review of the NE/CHRIS atlas of all 7.5' USGS topographic maps within the watershed, noting the extent of archaeological surveys and the number and types of prehistoric and historic sites recorded. Also, the following documents were reviewed: *National Register of Historic Places - Listed Properties and Determined Eligible Properties* (National Park Service, 2008), the *California Register of Historic Resources* (California Department of Parks and Recreation, 2002), *California Points of Historical Interest* (California Department of Parks and Recreation, 1992), *California Historical Landmarks* (California Department of Parks and Recreation, 1996), and the NE/CHRIS Historic Property Data File for Siskiyou County. Several sites in Shasta Valley are listed on the National Register of Historic Places: a historic store in Edgewood which dates to 1875, the Weed Lumber Company Boarding House in Weed dating to 1900, and, in Yreka, the downtown historic district at West Miner and Third Streets dating to 1850, the Falkenstein/Lewis/Sarter House dating to 1850, and the Carnegie Library dating to 1900. Also, Mount Shasta was determined eligible for inclusion on the National Register in March 1994 because of its historical, traditional, cultural and spiritual importance to the local Native American tribes whose territory surrounds the mountain. The boundary of this site, identified as CA-SIS-1821, is indefinite, but roughly encompasses an area approximately seven miles diameter or 25,600 acres.

Records indicate that archaeological surveys have been conducted over approximately 30 percent, of the watershed. Most of the surveys have been conducted on the eastern side of the watershed on Klamath National Forest lands (e.g., Vann, 2002), on Bureau of Land Management parcels (e.g., Hamusek et al., 1997), and on private timber lands. The latter surveys have mostly been conducted by Registered Professional Foresters (RPFs), with two examples being Lewis (2004) on 3,500 acres and Ravenscroft (2005) on 1,200 acres. RPFs have received training in the

¹ Trudy Vaughan is Principal of Coyote & Fox Enterprises (CFE), a subcontractor to Environmental Science Associates to prepare the Cultural Resources section of this document.

identification and recording of cultural resources through the California Department of Forestry and Fire Protection (CDF), and they are only authorized to conduct this work for CDF. These surveys, therefore, while providing some information on the cultural resources in the area, are not accepted under federal and state laws as meeting the cultural resource requirements of a professional archaeologist.

Several linear surveys have been conducted through the Shasta Valley both for power lines and fiber optic cable routes (e.g., Arrington, 2007; Brown, 2001; Peak, 1988) and for road improvements (e.g., Vaughan, 1997a, 1999a, 2002). There have also been approximately 80 small surveys covering from five acres up to 500+/- acres for private parcel splits and small development projects. These are scattered throughout the watershed, but most are concentrated around Yreka, Montague, and Weed. Examples of these surveys include Jensen (1994), Manning (1982), Vann (2004), and Vaughan (2002b).

Specific to the current Program, numerous small cultural resource surveys have been conducted for such undertakings as fencing projects to keep wildlife from streams, fish screens, bank stabilization, and instream restoration projects. Examples of these are Vann (2005), and Vaughan (1997b, 1999b, 1999c).

The review of maps at NE/CHRIS showed that approximately 260 archaeological sites have been recorded to date within the Shasta River watershed, approximately 40 percent of which are prehistoric and 60 percent are historic. Fifty of these sites were recorded around Grass Lake² at a ratio of approximately 1:1 for prehistoric and historic sites; and in another area of intensive survey covering almost four sections of land (Hamusek et al., 1997), 16 sites were recorded, four of which were historic and 12 prehistoric. These examples indicate that site density within the watershed is relatively high, particularly around water sources, and there are undoubtedly many more historic and prehistoric sites in the large portion of the watershed which has not yet had an archaeological survey conducted by a professional archaeologist.

As noted above, time did not permit a review of all site forms. Prehistoric site forms reviewed indicate that most of prehistoric sites are lithic scatters, with a few village and midden sites. Some of the larger prehistoric sites are those at which archaeological investigations have been conducted, as discussed above in the Prehistory section. There are several large linear historic sites including the railroad logging system of Weed and Long Bell Lumber Companies (CA-SIS-3391H), the Yreka Trail (CA-SIS-1828H), and the Yreka Ditch (CA-SIS-2252H). The most common site types among the historic sites are historic debris scatters and segments of rock walls/fences. Other site types include cabins, structure remains, railroad logging and logging camps, and segments of water conveyance ditch for mining and/or irrigation. For both the prehistoric and historic sites, only a few have been evaluated for eligibility to the National Register of Historic Places, and, therefore, most sites must be considered potentially eligible until such time as each can be formally evaluated.

² Grass Lake is along the eastern edge of the Shasta River watershed. Currently, no Covered Activities are planned in this area.

3.5.3 Regulatory Setting

Federal Regulations

If a Covered Activity performed under the Program falls under the jurisdiction of a federal agency, either through federal funding, or the requirement of a federal permit, section 106 of the National Historic Preservation Act of 1966 (Preservation Act) and its amendments; the regulations that implement section 106 (36 Code of Federal Regulations Part 800); section 101(b)(4) in the National Environmental Policy Act; and the Archaeological Resources Protection Act would apply. Under the Preservation Act, if a historic resource (a prehistoric or historic archaeological site) is recorded within the impact area of a specific project and the site cannot be avoided, it must be evaluated for its eligibility for inclusion on the National Register of Historic Places.

State Regulations

The California Environmental Quality Act (CEQA) requires that public or private projects financed or approved by public agencies must assess the effects of the project on historical resources. CEQA also applies to effects on archaeological sites, which may be included among “historical resources” as defined by CEQA *Guidelines*, § 15064.5(a), or, in the alternative, may be subject to the provisions of Public Resources Code, § 21083.2, which governs review of “unique archaeological resources.” Historical resources may generally include buildings, sites, structures, objects or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance.

Under CEQA, “historical resources” include the following:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code, § 5024.1.)
- (2) A resource included in a local register of historical resources, as defined in Public Resources Code, § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements in Public Resources Code, § 5024.1(g), shall be presumed to be historically or culturally significant. Public agencies must treat any such resources as significant, unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the CRHR (Public Resources Code, § 5024.1):
 - (A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; or

- (B) Is associated with the lives of persons important in our past; or
 - (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history.
- (4) The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, is not included in a local register of historical resources (pursuant to Public Resources Code, § 5020.1(k)), or is not identified in a historical resources survey (meeting the criteria in Public Resources Code, § 5024.1(g)) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code, § 5020.1(j) or § 5024.1.

Archaeological resources that are not “historical resources” according to the above definitions may be “unique archaeological resources” as defined in Public Resources Code, § 21083.2, which also generally provides that “non-unique archaeological resources” do not receive any protection under CEQA. If an archaeological resource is neither a “unique archaeological” nor an “historical resource,” the effects of the Program on those resources will not be considered a significant effect on the environment. It will be sufficient that both the resource and the impact on it are noted in the EIR, but they need not be considered further in the CEQA process.

In summary, CEQA requires that if a project (in this case, the Program) results in an effect that may cause a substantial adverse change in the significance of a historical resource, or would cause significant effects on a unique archaeological resource, then alternatives to the Program or mitigation measures must be considered.

Local Regulations

Most of the Shasta River watershed, and all of the areas where Covered Activities would occur, falls under the land use jurisdiction of Siskiyou County. Different sections in the County’s General Plan have been updated over time. The Siskiyou County General Plan Land Use and Circulation Element was last updated in 1980, while the Conservation Element was updated in 1973. The General Plan provides only broad recommendations for the protection of cultural resources. The Archaeology section in the Conservation Element of the General Plan (pp. 104-108) states that Siskiyou County “has a wealth of archaeological history within its borders” and the County shall “preserve, protect, and develop the County’s Archaeological, Paleontological, and Historic as well as Geologic sites.” To that end, the General Plan requires the County to: 1) strictly enforce state laws which prohibit unauthorized excavation on all lands under its jurisdiction; and 2) encourage scientific excavation, with all projects directed to the Siskiyou County Museum or Historical Society for guidance to assure that the proper procedures are followed which will insure the validity and authenticity of any and all finds.

3.5.4 Impacts and Mitigation Measures

Significance Criteria

For the purposes of this Draft EIR, and based on Appendix G in the *CEQA Guidelines*, the Program would have a significant impact on cultural resources if it were to do any of the following:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in *CEQA Guidelines*, § 15064.5;
- b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to *CEQA Guidelines*, § 15064.5;
- c) Directly or indirectly destroy a unique paleontological resource or site; or
- d) Disturb any human remains, including those interred outside of formal cemeteries.

Impact Analysis

Impact 3.5-1: Impacts to known and unknown cultural resources may result either directly or indirectly during the implementation and operational phases of a Covered Activity under the Program (Significant).

Impacts on cultural resources could result from ground-disturbing activities and/or other activities that damage, destroy, or alter historic structures. Ground-disturbing activities, which include Program-related excavation, grading, trenching, or other surface and subsurface disturbance, could damage or destroy historic structures and both surface and buried archaeological resources, including prehistoric and historic remains, paleontological resources and human burials. Program measures to address potential impacts to paleontological resources and human remains are described in greater detail in Impacts 3.5-2 and 3.5-3.

Mitigation Measures Proposed as Part of the Program

Mitigation Measure 3.5-1a: Master List of Terms and Conditions (MLTC) Condition 102 states that prior to any ground-disturbing activities, the responsible party shall contract with at least one qualified archaeologist and paleontologist to complete cultural and paleontological resource surveys, to identify any previously recorded and unknown historical resources, unique archeological resources, or unique paleontological resources, using standard survey protocols. The survey report must be provided to the California Department of Fish and Game (CDFG) for review and approval prior to any ground-disturbing activities.

Mitigation Measure 3.5-1b: MLTC Condition 103 notes that if any potentially significant historical resources, unique archaeological resources and/or paleontological resources are identified at the work site, CDFG shall consult with the consulting archaeologist or paleontologist to identify one or more of the following protective measures, or site specific measures, to be implemented at the project site before work may proceed:

- Redesign of proposed work to avoid disturbance of cultural or paleontological resources;
- Fencing to prevent accidental disturbance of cultural or paleontological resources during construction; and/or
- On-site monitoring by a cultural and/or paleontological resource professional during construction to assure that resources are not disturbed.

Mitigation Measure 3.5-1c: MLTC Condition 104 states that the responsible party shall report any previously unknown historical resources, unique archaeological resources, and paleontological remains discovered at the site to CDFG and other appropriate agencies.

Mitigation Measure 3.5-1d: MLTC Condition 105 states that if cultural resources such as lithic debitage, groundstone, historic debris, building foundations, or bone are discovered during ground-disturbing activities, work shall cease within 20 meters (66 feet) of the discovery. Furthermore, work near archaeological finds shall not resume until a professional archaeologist has evaluated the materials and offered recommendations for further action.

Mitigation Measure 3.5-1e: MLTC Condition 108 states that the responsible party shall instruct all persons who will be completing any ground-disturbing activity at a worksite to comply with conditions set forth in the SAA MOU and to inspect each work site before, during and after completion of ground-disturbing activity at the work site.

Mitigation Measures Identified in this Draft EIR

Mitigation Measure 3.5-1f: Prior to carrying out MLTC Condition 102, a determination shall first be made as to whether the area has had an adequate archaeological survey by a professional archaeologist and whether any historic or prehistoric sites have been recorded within a ¼-mile radius of the project area. This records review may be conducted at NE/CHRIS on a case-by-case basis for each project. Alternatively, a professional archaeologist will be contracted to conduct a watershed-wide records search at NE/CHRIS and prepare a map showing the previous surveys and recorded sites. An update of this information would then be prepared at least every two years. This map, which will show the locations of archaeological sites, would be considered confidential and made available only to individuals on an as-needed basis.

Mitigation Measure 3.5-1g: If none of the protective measures described in MLTC Condition 103 can be implemented, then an archaeological data recovery program (ADRP) shall be implemented, unless the professional archaeologist determines that the archaeological resource is of greater interpretive use than research significance and that interpretive use of the resource is feasible. The project archaeologist and CDFG shall meet and consult to determine the scope of the ADRP, and the project archaeologist shall prepare a research design for the project which shall be submitted to CDFG for review and approval. This document shall identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The document will specifically identify the scientific/historical research questions being asked, the archaeological resources' expected data classes, and how the expected data classes would address the applicable research questions. Following approval of the plan by CDFG, the ADRP shall be implemented and a report prepared.

Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. All significant cultural materials recovered shall be, as necessary, subject to scientific analysis, professional museum curation, and a report shall be prepared by a qualified archaeologist according to current professional standards.

Mitigation Measure 3.5-1h: If built historical resources (e.g., structures, buildings, or similar) that qualify for listing in the California Register of Historic Resources (CEQA *Guidelines*, § 15064.5)) are identified through the implementation of measure MLTC Condition 102 and cannot be avoided through implementation of measure MLTC Condition 103, SVRCD or the Agricultural Operator will comply with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (Standards) which would, in accordance with CEQA *Guidelines*, § 15064.5(b)(3), reduce potential impacts associated with the alteration or modification of a historical resource (including historic districts and individually eligible resources) to a less-than-significant level.

If both avoidance and compliance with the Standards are infeasible, the Covered Activity in question shall be changed or not pursued, such that the historical resource is not destroyed or altered. Activities that would result in such disturbance are not authorized under the Program because SVRCD or the Agricultural Operator would be unable to mitigate the impact to a point where clearly no significant effect on the environment would occur.

Level of Significance after Mitigation

Implementation of Mitigation Measures 3.5-1a through 3.5-1h would reduce the potential impacts to known and unknown cultural resources to a less than significant level.

Impact 3.5-2: Covered Activities could adversely affect known or unknown paleontological resources (Significant).

As described in Impact 3.5-1, impacts on paleontological resources could result from ground-disturbing activities covered under the Program. This would be considered a significant impact.

Mitigation Measures Proposed as Part of the Program

Mitigation Measure 3.5-2a: Implement **Mitigation Measures 3.5-1a – 3.5-1e** (MLTC Conditions 102, 103, 104, 105, and 108), as described above.

Mitigation Measures Identified in This Draft EIR

Mitigation Measure 3.5-2b: MLTC Condition 105 (see Mitigation Measure 3.5-1d) states that if cultural resources such as lithic debitage, groundstone, historic debris, building foundations, or bone are discovered during ground-disturbing activities, work shall cease within 20 meters (66 feet) of the discovery. Work near the archaeological finds shall not resume until a professional archaeologist has evaluated the materials and offered recommendations for further action. This measure does not, however, specify the criteria

for protecting paleontological resources. Therefore, in the event of an unanticipated paleontological discovery during ground-disturbing activities, the following measure shall be implemented:

- Temporarily halt or divert work within 20 meters (66 feet) of the find until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards³).
- Document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in *CEQA Guidelines*, § 15064.5.
- Notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.
- If CDFG determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the CDFG for review and approval.

Level of Significance after Mitigation

Implementation of Mitigation Measures 3.5a and 3.5-2b would reduce the potential impacts to paleontological resources to a less than significant level.

Impact 3.5-3: Covered Activities could result in damage to previously unidentified human remains (Less than Significant).

Impacts on unidentified human remains could result from ground-disturbing activities. Ground-disturbing activities, which include project-related excavation, grading, trenching, or other surface and subsurface disturbance, could damage or destroy buried human remains. The Program includes the following measures to address this potential impact:

- MLTC Condition 106, which states, “In the event of inadvertent discovery of human remains during project construction, work shall cease within 20 meters (66 feet) of the discovery location, and any nearby area reasonably suspected to overlie adjacent to human remains (See Public Resources Code, § 7050.5). The county coroner shall be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, the responsible party shall comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code, § 5097).” The Coroner shall contact the NAHC, who shall contact the descendants or most likely descendants of the deceased.

³ Society of Vertebrate Paleontology professional standards may be found at: <http://www.vertpaleo.org/society/ethics.cfm>

- MLTC Condition 107, which states, “The responsible party shall insure that the immediate vicinity where Native American human remains are located, according to generally accepted cultural or archeological standards or practices, is not damaged or disturbed by further ground-disturbing activity until the responsible party has discussed and conferred with the most likely descendants regarding their wishes, taking into account the possibility of multiple human remains, as provided in Public Resources Code, § 5097.98. Work may resume if NAHC is unable to identify a descendant, or the descendant fails to make a recommendation.”
- MLTC Condition 108, which states, “[T]he responsible party shall instruct all persons who will be completing any ground-disturbing activity at a worksite to comply with conditions set forth in this Agreement and shall inspect each work site before, during and after completion of ground-disturbing activity at the work site.”

MLTC Conditions 106, 107, and 108 would ensure that impacts to previously undiscovered human remains are less than significant.

Mitigation Measures

This potential impact was determined to be less than significant. No mitigation measures are required.

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